

**ASSEMBLY BILL**

**No. 680**

**Introduced by Assembly Member Chan**

February 17, 2005

---

An act to amend Section 48985 of, and to add Sections 48985.1 and 48985.2 to, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as introduced, Chan. English language learners.

Existing law provides that, when 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to English, be written in the primary language, and may be responded to either in English or the primary language.

This bill would require the State Department of Education to monitor adherence to those provisions as part of its regular coordinated compliance review of public schools and school districts.

This bill would require a school district to annually report to the department, as provided, specified information, including, among others, a list of all the public schools within the district that are required to translate, into any language other than English, notices, reports, statements, or records sent to the parent or guardian of a pupil and a list of the materials required to be translated. By imposing additional duties on school districts, this bill would impose a state-mandated local program.

This bill would require the department to establish and administer a competitive grant program for the purpose of allocating federal funds to certain public schools and school districts in order to translate the required materials to a primary language other than English. The bill

would require the department to use funds made available pursuant to Title I and Title III of the federal No Child Left Behind Act of 2001 and appropriated by the annual Budget Act for the purpose of the grant program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 48985 of the Education Code is  
2 amended to read:

3 48985. (a) When 15 percent or more of the pupils enrolled in  
4 a public school that provides instruction in kindergarten or any of  
5 grades 1—~~through~~ to 12, *inclusive*, speak a single primary  
6 language other than English, as determined from the census data  
7 submitted to the ~~Department of Education~~ *department* pursuant  
8 to Section 52164 in the preceding year, all notices, reports,  
9 statements, or records sent to the parent or guardian of any such  
10 pupil by the school or school district shall, in addition to being  
11 written in English, be written in ~~such~~ *the* primary language, and  
12 may be responded to either in English or the primary language.

13 (b) *The department shall monitor adherence to this section as*  
14 *part of its regular coordinated compliance review of public*  
15 *schools and school districts.*

16 SEC. 2. Section 48985.1 is added to the Education Code, to  
17 read:

18 48985.1. A school district shall report to the department no  
19 later than the 30th day of April of each year, along with the  
20 census of pupils of limited English proficiency pursuant to  
21 Section 52164, all of the following:

22 (a) A list of all the public schools within the district that are  
23 required to translate, into any language other than English,

1 notices, reports, statements, or records sent to the parent or  
2 guardian of a pupil pursuant to Section 48985.

3 (b) Each primary language other than English spoken by 15  
4 percent or more of the pupils enrolled in each school identified in  
5 subdivision (a).

6 (c) A list of all notices, reports, statements, or records required  
7 to be translated by each school identified in subdivision (a) or by  
8 the school district pursuant to Section 48985.

9 (d) A list of all written materials identified in subdivision (c)  
10 that have been translated and each primary language other than  
11 English into which the materials have been translated.

12 SEC. 3. Section 48985.2 is added to the Education Code, to  
13 read:

14 48985.2. (a) The department shall establish and administer a  
15 competitive grant program for the purpose of allocating federal  
16 funds to public schools and school districts subject to Section  
17 48985 in order to translate the required materials to a primary  
18 language other than English.

19 (b) The department shall use funds made available pursuant to  
20 Title I and Title III of the federal No Child Left Behind Act of  
21 2001 (20 U.S.C. Sec. 6301 et seq.) and appropriated by the  
22 annual Budget Act for the purpose of this grant program.

23 SEC. 4. If the Commission on State Mandates determines that  
24 this act contains costs mandated by the state, reimbursement to  
25 local agencies and school districts for those costs shall be made  
26 pursuant to Part 7 (commencing with Section 17500) of Division  
27 4 of Title 2 of the Government Code.